

arguments—including asserting additional bases for Article III standing and various new contentions relating to the interpretation of “debt forgiveness” that were not contained in Plaintiff’s Complaint or briefed at the preliminary injunction stage¹—that Defendants have not had the opportunity to address.

As Defendants’ attached Reply brief shows, the modest two-page extension is necessary to allow Defendants to fully respond to each argument asserted in Plaintiff’s Response. Granting the extension will not prejudice Plaintiff, because the two additional pages are not requested for the purpose of asserting new arguments or issues that Plaintiff has not had an opportunity to address in his Response brief. Rather, Defendants respectfully submit that the modest extension will assist the Court’s resolution of the issues raised in Defendants’ Motion to Dismiss upon briefing that thoroughly addresses the parties’ arguments as succinctly as possible. Defendants have made concerted efforts to adhere as closely as possible to the page limits set by the Local Rules while fully addressing the points raised in Plaintiff’s Response.

For these reasons, the Court should grant this Motion and allow Defendants to file their Reply on the docket as a separate docket entry.

DATE: November 5, 2021

Respectfully submitted,

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¹ The arguments raised by the parties in their briefing on the Motion to Dismiss also were not addressed at the hearing on Plaintiff’s Motion for Preliminary Injunction, because Plaintiff represented that his request for a preliminary injunction rested only on the merits of his equal protection challenge to Section 1005 at count one of the Complaint.

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CERTIFICATE OF CONSULTATION

I certify that counsel for Defendants conferred with counsel for Plaintiff regarding this Motion, who indicated that Plaintiff opposes this Motion.

s/ Kyla M. Snow